

## COUNCIL and COMMITTEE SESSION SUMMARY

**Wednesday, April 1, 2009 - Tuesday, April 14, 2009**

*This summary is not intended to be the official record of the Council –  
Official minutes are available for that purpose in the Office of Legislative Information Services*

|                |  |                                      |
|----------------|--|--------------------------------------|
| <b>PS</b>      | <b>8:30 AM - 7CHR</b>  |                                      |
| <b>Apr 2</b>   | <b><u>FY10 Operating Budget</u></b><br>(1) • Fire and Rescue Services (Davidson)<br>(2) • CIP Amendments: Fire and Rescue (Davidson)   | Worksession                          |
|                |  |                                      |
| <b>PS/MFP</b>  | <b>10:15 AM - 7CHR</b>   |                                      |
| <b>Apr 2</b>   | (1) • <b>Bill 37-08</b> , Personnel - Disability Retirement - Amendments<br>( <i>continued</i> ) (Drummer)   | Recommended approval with amendments |
|                |  |                                      |
| <b>AUDIT</b>   | <b>12:15 PM - 3CCR</b>   |                                      |
| <b>Apr 2</b>   | <i>Council President and Vice President are ex-officio voting members</i><br>(1) • FY08 Audit and Management Letters Review and Auditor Contract Renewal (Rubin)   | Recommended approval                 |
|                |  |                                      |
| <b>PHED</b>    | <b>2:00 PM - 3CCR</b>  |                                      |
| <b>Apr 2</b>   | (1) • OLO Report 2009-7, Organization of Recreation Programs across the Department of Parks and Department of Recreation ( <i>continued</i> ) (Howard/Romer)   | Worksession                          |
|                | (2) • <b>Bill 7-09</b> , Schools and Camps - Workforce Investment Scholarship  | Recommended approval with amendments |
|                | <b><u>FY10 Operating Budget</u></b><br>(3) • Hearing Examiner (Foster)<br>(4) • Board of Appeals (Foster)<br>(5) • People’s Counsel (Foster)<br>(6) • NDA: Historical Activities (Zyontz)                                  | Worksession                          |
|                |  |                                      |
| <b>T&amp;E</b> | <b>9:30 AM - 7CHR</b> <i>To be televised live on County Cable Montgomery</i>   |                                      |
| <b>Apr 13</b>  | <b><u>FY10 Operating Budget</u></b><br>(1) • Department of Transportation: (Orlin)<br>- General Fund<br>- NDA: HOA Road Maintenance Reimbursement<br>- NDA: Rockville Parking District<br>- CIP Amendments: Transportation | Worksession                          |
|                | (2) • Resolution to approve a policy for use of brick pavers in the public right-of-way ( <i>continued</i> ) (Orlin)   | Recommended approval with amendments |
|                |  |                                      |
| <b>PHED</b>    | <b>2:00 PM - 7CHR</b> <i>To be televised live on County Cable Montgomery</i>   |                                      |
| <b>Apr 13</b>  | <b><u>FY10 Operating Budget</u></b><br>(1) • MNCPPC - Planning Department (Michaelson)   | Worksession                          |

**MONDAY, APRIL 13, 2009**

| <b>RES/ORD</b>                 | <b>SUBJECT</b>  | <b>ACTION</b>                           |
|--------------------------------|---|---|
| <b>HHS</b>                     | <b>2:00 PM - 3CCR</b>   |   |
| <b>Apr 13</b>                  | <b><u>FY10 Operating Budget</u></b><br>(1) • DHHS: Administration, Public Health Services (includes Council grants - public health - Montgomery Cares) (McMillan)               | Worksession                             |
| <b>MONDAY, APRIL 13, 2009</b>  |   |   |
|                                | 7:00 <b>PUBLIC HEARING</b> - FY10 Operating Budget  | PH held                                 |
| <b>TUESDAY, APRIL 14, 2009</b> |   |   |
|                                | 8:30-9:00 <b>Breakfast Meeting</b> with Congressman Van Hollen regarding federal stimulus dollars   | Meeting                                 |
|                                | (1)9:00-9:30 <b>INTERVIEW</b> - County Executive's appointee for Director, Department of Economic Development: Steven A. Silverman (6th floor Council Conference Room) (Ferber) | Interview                               |
|                                | 9:45 <b>INVOCATION</b> - Reverend Ron Foster, Bethesda United Methodist Church, Bethesda  | Invocation given by Reverend Ron Foster |
|                                | 9:50 <b>PRESENTATION</b> - Proclamation in recognition of the participants of the AFFIRM Program by Councilmember Ervin   | Proclamation presented                  |
|                                | 9:55 <b>PRESENTATION</b> - Proclamation in recognition of Dr. Shawn Joseph, Roberto Clemente Middle School, as Middle School Principal of the Year by Councilmember Knapp       | Proclamation presented                  |
|                                | 10:00 <b>PRESENTATION</b> - Proclamation in recognition of April as the Month of the Young Child by Councilmember Trachtenberg  | Proclamation presented                  |
|                                | 10:05 <b>GENERAL BUSINESS</b> (Lauer)   |   |
|                                | A. <b>Announcement</b> - Agenda and Calendar Changes  | None                                    |
| (2)                            | B. <b>Acknowledgement</b> - Receipt of Petitions  | Acknowledged Petitions                  |
|                                | C. <b>Action</b> - Approval of Minutes: March 19, 23, and 24 2009   | Approved (8y)*                          |
| (3)                            | 10:10 <b>CONSENT CALENDAR</b>   | (Approved 8y)*                          |
|                                | A. <b>Introduction</b> - Resolution to set amount of Property Tax Credit for Income Tax Offset (Faden)  | Introduced                              |
|                                | <i>Public Hearing is scheduled for 5/5/09 at 7:30 pm.</i>   |   |

**TUESDAY, APRIL 14, 2009**

| <b>RES/ORD</b> | <b>SUBJECT</b>  | <b>ACTION</b> |
|----------------|---|---------------|
|                | <p align="center"><b>B. Introduction</b> - Resolution to authorize grant application request for Annual Transportation Plan &amp; Clean Fuels, JARC &amp; New Freedom Grants (Orlin)</p> <p align="center"><i>Action is tentatively scheduled for 5/21/09.</i></p>  | Introduced    |
|                | <p align="center"><b>C. Introduction</b> - Supplemental appropriation to the County Government's FY09 Operating Budget, Department of Housing and Community Affairs - \$2,073,965 for Neighborhood Stabilization Program (Source: Federal funds) (McMillan)</p> <p align="center"><i>Public Hearing/Action is scheduled for 4/28/09 at 1:30 pm.</i></p> | Introduced    |
|                | <p align="center"><b>D. Action</b> - Confirmation of Council approval of the County's FY10 Maintenance of Effort waiver request to the State Board of Education (Farber)</p>  | Approved      |
| <b>16-917</b>  | <p align="center"><b>E. Action</b> - Reappointment of Inspector General: Thomas J. Dagley (Ferber)</p>  | Adopted       |
|                | <p align="center"><b>F. Action</b> - Appointment of special counsel to represent the County and the Employees' Retirement System in connection with an action against Adelpia Communications Corporation and related parties for misrepresentation and fraud: Lowenstein Sandler (Faden)</p>  | Approved      |
|                | <p align="center"><b>G. Action</b> - Contract renewals for audit services (Rubin)</p> <p align="center"><i>Audit Committee recommends approval.</i></p>   | Approved      |
| <b>16-918</b>  | <p align="center"><b>H. Action</b> - Resolution to extend time until June 30, 2009, for Council action on Executive Regulation 32-08, Speed Humps (Orlin)</p> <p align="center"><i>T&amp;E Committee worksession tentatively scheduled for 4/20/09.</i></p>   | Adopted       |
| <b>16-919</b>  | <p align="center"><b>I. Action</b> - Resolution of consent to and support for re-designation of an Enterprise Zone: Wheaton CBD Policy Area (Ferber)</p>  | Adopted       |
|                | <p align="center"><b>J. Introduction</b> - Resolution to revise Taxicab Fees (Orlin)</p> <p align="center"><i>Public Hearing is scheduled for 5/5/09 at 7:30 pm.</i></p>  | Introduced    |
|                | <p align="center"><b>K. Introduction</b> - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Board of Elections - \$2,153,000 for Relocation Costs (Source: General Fund) (Mihill)</p> <p align="center"><i>Public Hearing is scheduled for 4/28/09 at 1:30 pm.</i></p>                                    | Introduced    |

**TUESDAY, APRIL 14, 2009**

| <b>RES/ORD</b> | <b>SUBJECT</b>  | <b>ACTION</b>                             |
|----------------|---|---|
|                | (12) 11:50 <b>UPDATE</b> - PHED Committee deliberations on OLO Report 2009-7, Organization of Recreation Programs across the Department of Parks and Department of Recreation (Fuhrmann)  | Received update                           |
|                |   |   |
|                | <b>10:15 LEGISLATIVE SESSION Day # 15</b>   |   |
|                |   |   |
|                | A. Introduction of Bills (Lauer)  |   |
|                | (4) • <b>Expedited Bill 17-09</b> , Parking Lot Districts - Use of Revenue, sponsored by Councilmembers Floreen, Knapp, Elrich, and Leventhal, and Council President Andrews (Mihill)<br><br><i>Public Hearing is scheduled for 5/5/09 at 7:30 pm</i>   | Introduced                                |
|                |   |   |
|                | (5) • <b>Expedited Bill 18-09</b> , Personnel - Retirement - Imputed Compensation, sponsored by the Council President at the request of the County Executive (Drummer)<br><br><i>Public Hearing is scheduled for 5/5/09 at 7:30 pm.</i>   | Introduced                                |
|                |   |   |
|                | (6) • <b>Bill 19-09</b> , Board of Investment Trustees - Membership, sponsored by the Council President at the request of the County Executive (Drummer)<br><br><i>Public Hearing is scheduled for 5/5/09 at 7:30 pm</i>  | Introduced                                |
|                |   |   |
|                | B. Call of Bills for Final Reading  |   |
|                | (7) • <b>Expedited Bill 6-09</b> , Home Energy Loan Program - Establishment (Mihill)<br><br><i>T&amp;E Committee recommends approval with amendments.</i>   | Enacted<br>(7y, MK ta)*                   |
|                |   |   |
|                | (8) • <b>Bill 7-09</b> , Schools and Camps - Workforce Investment Scholarship (Drummer)<br><br><i>PHED Committee recommends approval with amendments.</i>   | Deferred                                  |
|                |   |   |
|                | (9) 10:30 <b>WORKSESSION</b> - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)<br><br><i>Action is tentatively scheduled for 4/21/09.</i>   | Held worksession                          |
|                |   |   |
|                | (10) 10:45 <b>OVERVIEW</b> - FY10 Operating Budget  | Received overview                         |
|                |   |   |
|                | (11) 11:30 <b>RELEASE AND PRESENTATION</b> - OLO Memorandum Report 2009-9: A Research Brief on Furloughs and Buyouts (Orlansky)   | Released report and deferred presentation |
|                |   |   |
|                | 12:00 <b>RECESS - 12:15 - PROPOSED CLOSED SESSION</b> for the purpose of consulting with counsel to obtain legal advice regarding pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is collective bargaining and related issues. (6th floor Conference Room) (Faden) | Held closed session                       |

**TUESDAY, APRIL 14, 2009**

| <b>RES/ORD</b> | <b>SUBJECT</b>  | <b>ACTION</b>                                     |
|----------------|---|---|
|                | (13) 1:30 <b>PUBLIC HEARING</b> - Amendments to the County government collective bargaining agreements (Faden/Drummer)<br><br><i>MFP Committee worksession tentatively scheduled for 4/20/09.</i>   | PH held; record open until COB 4/16/09            |
|                | (14) 1:30 <b>PUBLIC HEARING - Expedited Bill 10-09</b> , Personnel - Retirement Incentive Program. (Drummer)<br><br><i>MFP Committee worksession tentatively scheduled for 4/20/09</i>  | PH held; record open until COB 4/16/09            |
| <b>16-920</b>  | (15) 1:30 <b>PUBLIC HEARING/ACTION</b> - Supplemental appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$500,000 for Urban Security Initiative (UASI) Mass Casualty Support Unit Supplies (MCSUS) Grant Award (Source: Federal Grant) (Davidson)   | PH held; record closed. Adopted (6y, RB & DT ta)* |
|                | 2:22 P.M. <b>ADJOURN</b>  |   |
| <b>MFP</b>     | <b>2:00 PM - 3CCR</b>   |   |
| <b>Apr 14</b>  | <b><u>FY10 Operating Budget</u></b><br>(1) • Finance, Risk Management, and NDAs for Risk Management, Working Families Income Supplement, State Property Tax Services, and Restricted Donations (Sherer)<br>(2) • Debt Service (Sherer)<br>(3) • NDAs: Grants to Municipalities in Lieu of Shares Tax, Future Federal/State/Other Grants, Takoma Park Police Rebate, Municipal Tax Duplication, Leases (Sherer)<br>(4) • Board of Elections (Mihill) | Worksession                                       |
|                | (4.5) • Supplemental appropriation - Board of Elections - \$2,153,000 for Relocation Costs (Mihill)   | Recommended approval                              |
|                | (5) • NDA: Charter Review Commission (Mihill)<br>(6) • Ethics Commission (Ferber)   | Worksession                                       |
|                | (7) • <b>Expedited Bill 4-09</b> , Development Impact Tax - Deferral (Faden)  | Recommended approval with amendments              |
| <b>PHED</b>    | <b>2:15 PM - 7CHR</b> <i>To be televised live on County Cable Montgomery</i>  |   |
| <b>Apr 14</b>  | (.5) • <b>Expedited Bill 5-09</b> , Permit Fees - New Construction (Faden)  | Recommended approval with amendments              |
|                | <b><u>FY10 Operating Budget</u></b><br>(1) • Recreation (Yao)<br>(2) • CIP Amendments: Recreation (Yao)<br>(3) • Department of Permitting Services (Sherer)   | Worksession                                       |
|                | 7:00 <b>PUBLIC HEARING</b> - FY10 Operating Budget and amendments to FY09-14 Capital Improvements Program (CIP)   | PH held   |

\*y=yes; ta=temporarily absent